

**UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA
Plaintiff

v.

Case Number 4:12PO3001-001
USM Number

KETHAN S. MERCURE
Defendant

STEVEN J. MERCURE
Defendant's Attorney

JUDGMENT IN A CRIMINAL CASE
(For a Petty Offense)

THE DEFENDANT pleaded guilty to CVB violations W0909984 and violation W0909905 on 11/13/2012

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offenses:

<u>Title, Section & Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18:3581(b)(7) and Neb Rev Statute 60-6, 212 Careless Driving	6/10/2012	W0909984
18:13 and Neb Rev Statute 60-6, 197 Minor in Possession of Alcohol	6/10/2012	W0909905

The defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Violations W0909901, W0909902, W0909904, W0909982, W0909983, W0909988 and W0909989 are dismissed on the motion of the United States as to this defendant only.

Following the imposition of sentence, the Court advised the defendant of the right to appeal pursuant to the provisions of Fed. R. Crim. P. 32 and the provisions of 18 U.S.C. § 3742 (a) and that such Notice of Appeal must be filed with the Clerk of this Court within fourteen (14) days of this date pursuant to Fed. R. App. P. 4.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence:
January 3, 2013

s/ Cheryl R. Zwart
United States Magistrate Judge

January 3, 2013

PROBATION

The defendant is hereby sentenced to probation for a term of **2 Years**.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the special conditions that have been adopted by this court (set forth below) in addition to the standard conditions stated in court.

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer.
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
5. The defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
6. The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
7. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
8. The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
9. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
10. The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.

SPECIAL CONDITIONS OF SUPERVISION

1. The defendant shall report to the Supervision Unit of the U.S. Probation Office for the District of Nebraska between the hours of 8:00 a.m. and 4:30 p.m., 100 Centennial Mall North, 530 U.S. Courthouse, Lincoln, Nebraska, (402) 437-1920, within seventy-two (72) hours of release from confinement and, thereafter, as directed by the probation officer.
2. The defendant shall consistently pursue his education, shall maintain a "C" average in each of his classes (or a passing grade in any pass/fail class), and shall provide his supervising officer with the information needed to monitor his compliance with this educational requirement.
3. To the extent he can while successfully going to school, the defendant shall be employed and shall provide his supervising officer with the information needed to monitor his compliance with this requirement.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in this judgment.

<u>Total Assessment</u>	<u>Total Fine</u>	<u>Total Processing Fee</u>
\$20.00	\$600.00	\$50.00

FINE

\$100 for Violation W0909984 and \$500 for Violation W0909905 is imposed. The interest requirement is waived for the two-year term of probation.

SCHEDULE OF PAYMENTS

The defendant shall pay the processing fee in the amount of \$50.00 immediately.

The criminal monetary penalty is due in full by the end of the term of probation. The defendant is obligated to pay said sum immediately if he or she has the capacity to do so. The United States of America may institute civil collection proceedings at any time to satisfy all or any portion of the criminal monetary penalty.

Any payments made on the outstanding criminal monetary penalty shall be applied in the following order of priority: processing fee; restitution; fine; and other penalties. Unless otherwise specifically ordered, interest shall not accrue on the criminal monetary penalty.

All financial penalty payments are to be made to the Central Violations Bureau, P.O. Box 71363, Philadelphia, PA 19176-1363.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

The defendant shall inform the probation officer of any change in his or her economic circumstances affecting the ability to make monthly installments, or increase the monthly payment amount, as ordered by the court.

The defendant is restrained from transferring any real or personal property, unless it is necessary to liquidate and apply the proceeds of such property as full or partial payment of the criminal monetary penalty.

CLERK'S OFFICE USE ONLY:
ECF DOCUMENT

I hereby attest and certify this is a printed copy of a document which was electronically filed with the United States District Court for the District of Nebraska.

Date Filed: _____

DENISE M. LUCKS, CLERK

By _____ Deputy Clerk